

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7261

BILL NUMBER: HB 1283

NOTE PREPARED: Jan 9, 2004

BILL AMENDED:

SUBJECT: Absentee Voting.

FIRST AUTHOR: Rep. Aguilera

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill allows an individual to vote by mail if the individual is qualified to vote in person and will be unable for any reason to vote in person on election day. The bill provides that a person who takes certain actions with respect to an absentee ballot application commits a Class C felony.

Effective Date: July 1, 2004.

Explanation of State Expenditures: *Summary:* Under the bill, more individuals may request an absentee ballot. The Indiana Election Division prints absentee ballots for certain counties using optical scan voting machines. If the quantity of absentee ballots demanded were to increase as a result of the bill, the Election Division could see an increase in ballot expenditures. For illustrative purposes only, if 10,000 additional paper ballots were requested by these counties for absentees, the estimated cost would be about \$550.

Penalty Provision: Under the bill, if an un-authorized individual knowingly or intentionally completes, assists, signs, faxes, mails, hand delivers a completed absentee ballot application, or falsely states information to entitle a voter to vote by mail absentee ballot commits a Class C felony.

A Class C felony is punishable by a prison term ranging from two to eight years depending upon mitigating and aggravating circumstances. Assuming offenders can be housed in existing facilities with no additional staff, the average cost for medical care, food, and clothing is approximately \$1,825 annually, or \$5 daily, per prisoner. However, any additional expenditures are likely to be small. The average length of stay in Department of Correction (DOC) facilities for all Class C felony offenders is approximately two years.

Background: For the 2000 general election, the cost of paper ballots per 1,000 voters was about \$54.75. The

cost of optical scan ballots were about \$300 per thousand in the 2000 General Election.

The Election Division spent less than \$10,000 for paper ballots in 2002 and less than \$15,000 in 2000. In 2000, the Division had printed about 107,000 official presidential ballots, 29,900 sample presidential ballots, 88,950 official statewide office ballots, and about 16,000 sample statewide ballots.

Explanation of State Revenues: *Penalty Provision:* If additional court cases occur and fines are collected, revenue to both the Common School Fund (from criminal fines) and the state General Fund (from court fees) would increase. The maximum fine for a Class C felony is \$10,000. However, any additional revenues would likely be small.

Explanation of Local Expenditures: *Summary:* The provisions of the bill would have an indeterminable impact on local expenditures. Production of absentee ballots would increase if the quantity of absentee ballots demanded increased. The county election board may require additional postage for any increase in absentee ballots mailed.

Penalty Provision: If more defendants are detained in county jails prior to their court hearings, local expenditures for jail operations may increase. However, any additional expenditures would likely be small.

Explanation of Local Revenues: *Penalty Provision:* If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from court fees. However, the amounts would likely be small.

State Agencies Affected: Indiana Election Division; Department of Correction..

Local Agencies Affected: Counties; trial courts, local law enforcement agencies,.

Information Sources: Indiana Election Division, (317) 232-3939; Election Systems and Software (317) 913-0230.

Fiscal Analyst: Chris Baker, 317-232-9851.